

THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

COMMODITY FUTURES TRADING)	7:05CV5026
COMMISSION,)	
)	
Plaintiff,)	MEMORANDUM
vs.)	AND ORDER
)	
TODD J. DELAY,)	
)	
Defendant.)	

This matter is now under submission to the court for determination on the merits following a bench trial and the recent completion of post-trial briefing. For docket control purposes, therefore, a motion for preliminary injunction (filing 6) that has been pending for more than six months, and that was deferred by agreement of the parties until the time of trial (see filing 92), will be denied without prejudice and removed from the court's pending motion list as a moot filing.

Accordingly,

IT IS ORDERED that the motion for preliminary injunction (filing 6) is denied without prejudice as moot.

September 20, 2006.

BY THE COURT:

s/ Richard G. Kopf
United States District Judge